

1 EDWIN PRATHER, CABN 190536
2 PRATHER LAW OFFICES
3 461 Bush Street, Suite 350
4 San Francisco, CA 94108
5 Telephone: (415) 881-7774
6 Email: edwin@pratherlawoffices.com

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8 Attorneys for Defendant
9 CARLOS GUERRERO-ELENES

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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**
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16 UNITED STATES OF AMERICA,
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18 Plaintiff,
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20 v.
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22 CARLOS GUERRERO-ELENES,
23
24 Defendant.

Case No.: CR 16-0469 MMC

**STIPULATION AND [PROPOSED] ORDER RE
CONTINUANCE OF OCTOBER 11, 2017
HEARING**

25 This matter is currently set for a status/possible change of plea hearing on October 11, 2017. The defense is on track to resolve this matter by way of an open plea. However, the defense is unavailable on October 11, 2017, and is set to begin a jury trial in another criminal matter on October 12, 2017.

Based on the foregoing, defense counsel requests, the government agrees, and the parties jointly stipulate that the hearing in this matter should be continued to November 8, 2017, at 2:15 p.m., to allow for the effective preparation of counsel and for continuity of counsel. The parties further agree and stipulate that the time from October 11, 2017, through

1 and including November 8, 2017, may be time excluded from the Speedy Trial Act, in order to
2 ensure the reasonable time necessary for effective preparation of counsel, pursuant to Title 18,
3 United States Code Sections 3161(b), (h)(7)(A), (h)(7)(B)(iv).

4 Additionally, the parties request and stipulate that the supervised release matter, CR 07-
5 0645 MMC, that is trailing this case, also be continued to November 8, 2017.

6 SO STIPULATED.

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8 Respectfully submitted,

9 BRIAN J. STRETCH
10 United States Attorney

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12 Dated: October 9, 2017

13 _____/s/_____
14 SAMANTHA SCHOTT
15 Special Assistant United States Attorney


16 Dated: October 9, 2017

17 _____/s/_____
18 EDWIN PRATHER
19 PRATHER LAW OFFICES
20 Attorneys for Defendant
21 CARLOS GUERRERO-ELENES

[PROPOSED] ORDER

GOOD CAUSE APPEARING and per the parties' stipulation, IT IS HEREBY ORDERED that the status/possible change of plea hearing on October 11, 2017, be continued to November 8, 2017, at 2:15 p.m. The time from October 11, 2017, through and including November 8, 2017, shall be time excluded from the Speedy Trial Act, in order to ensure the reasonable time necessary for effective preparation and continuity of counsel, pursuant to Title 18, United States Code Sections 3161(b), (h)(7)(A), (h)(7)(B)(iv). The supervised release matter, CR 07-0645 MMC, currently set for ~~August 30, 2017~~, shall also be continued to October 11, 2017 November 8, 2017, at 2:15 pm.

Dated: October 10, 2017



THE HONORABLE MAXINE M. CHESNEY
UNITED STATES SENIOR DISTRICT JUDGE